

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

10/539017



Rec'd PCT/PTO 16 JUN 2005

Applicant's or agent's file reference XA1742	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/05455	International filing date (day/month/year) 15.12.2003	Priority date (day/month/year) 18.12.2002
International Patent Classification (IPC) or both national classification and IPC B21D26/02		
Applicant BAE SYSTEMS PLC		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

- This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  25.06.2004	Date of completion of this report  11.01.2005
Name and mailing address of the international preliminary examining authority:   European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Ris, M  Telephone No. +31 70 340-2363  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/GB 03/05455**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-25 as originally filed

**Claims, Numbers**

1-34 as originally filed

**Drawings, Sheets**

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
  - ☐ the language of publication of the international application (under Rule 48.3(b)).
  - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
  - ☐ filed together with the international application in computer readable form.
  - ☐ furnished subsequently to this Authority in written form.
  - ☐ furnished subsequently to this Authority in computer readable form.
  - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
  - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
  - ☐ the claims, Nos.:
  - ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY  
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International application No. **PCT/GB 03/05455**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	2,3,8-21,23-26,32-34
	No: Claims	1,4-7,22,27-31
Inventive step (IS)	Yes: Claims	8-21
	No: Claims	1-7,22-34
Industrial applicability (IA)	Yes: Claims	1-34
	No: Claims	

2. Citations and explanations

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/GB 03/05455

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1). The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1 and 22 is not new in the sense of Article 33(2) PCT and not inventive in the sense of Article 33(3) PCT.

The document US-A-6053026 (D1) discloses an apparatus and method for modifying the shape of an aircraft component (column 1, lines 9-11). The component is forced against a reconfigurable shaped surface (see figures 1A, 1B and 2). The component is supported by a pliable intermediate member (column 3, line 53 - column 4, line 3) which conforms to the shape of the mould.

D1 discloses all the features of independent claims 1 and 22. The subject-matter of claims 1 and 22 is thus not new. As the subject-matter of claims 1 and 22 is not new, it is not inventive as well.

2). The application of the additional features of claim 2, 3 is considered obvious. The subject-matter of claims 2 and 3 thus does not involve an inventive step. The features of claim 4 - 7 are known from D1. The subject-matter of claims 4 - 7 is thus not new.

3). The combination of the features of dependent claim 8 is neither known from, nor rendered obvious by, the available prior art. The application of modules, which are pivotably movable relative to each other, in reconfigurable tooling is not known from or suggested by the presently known state of the art. The subject-matter of claim 8 thus fulfills the requirements of novelty and inventive step (Articles 33(1), (2) and (3) PCT).

4). Claims 9 - 21 are dependent on claim 8 and as such also meet the requirements of the PCT with respect to novelty and inventive step. Also claims 32 and 33 concerning the use of the apparatus would fulfil the requirements of inventive step and novelty if dependent on claim 8.



Bescheld/Protest (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

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Application No.: 00 900 838.4  
Demande n°:

5). The application of the additional features of claim 23 - 31, and 32 - 34 (claims 32 - 34 as far as dependent on any of claims 22 - 31) is known from D1 (claims 27 - 31) or considered obvious. The subject-matter of these claims is thus not new or/and does not involve an inventive step (Articles 33(1), (2) and (3) PCT).